

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Christopher Robert BEBBINGTON, et al.	:	Confirmation Number: 9929
	:	
Serial No.: 10/585,149	:	Group Art Unit: 1656
	:	
Filed: June 30, 2006	:	Examiner: Not Yet Assigned
	:	
For: TRANSACTIVATION SYSTEM FOR MAMMALIAN CELLS	:	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of October 19, 2009 wherein restriction has been required, Applicant hereby elects, with traverse, Group I (claims 48-64, 73, 75-77, 79, 93, 100 and 103-106) for prosecution in the above-identified application.

Applicant respectfully traverses the three way restriction requirement because the claims of Groups I-III share technical features which represent contributions over the prior art. Claims reciting limitations of a UCOE (Group II), or a cistron encoding an antibody (Group II and III) are found in dependent claims of Group I (e.g., claims 51, 53-55, 57, and 60). Also, independent claims of Group II and III, e.g., claims 72 (Group II) and 78 (Group III) have dependent claims (e.g., 73 and 79) that recite the limitations of a transactivator and an apoptosis protective protein which are in the Group I invention (these dependent claims are placed in the Group I invention). These dependent claims bring into Group I the limitations of independent claims from Groups II and III. Thus, Applicants assert that the claims of the application have common technical features and the restriction requirement should be withdrawn.

10/585,149

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502203 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: November 12, 2009

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